United Nations S/RES/1439 (2002)

Security Council

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Resolution 1439 (2002)

Adopted by the Security Council at its 4628th meeting, on 18 October 2002

The Security Council,

Reaffirming its resolutions 864 (1993) of 15 September 1993 and all subsequent relevant resolutions, in particular resolutions 1127 (1997) of 28 August 1997, 1173 (1998) of 12 June 1998, 1237 (1999) of 7 May 1999, 1295 (2000) of 18 April 2000, 1336 (2001) of 23 January 2001, 1348 (2001) of 19 April 2001, 1374 (2001) of 19 October 2001, 1404 (2002) of 18 April 2002, 1412 (2002) of 17 May 2002 and 1432 (2002) of 15 August 2002,

Reaffirming also its commitment to preserve the sovereignty and territorial integrity of Angola,

Welcoming the steps taken by the Government of Angola and União Nacional para a Independência Total de Angola (UNITA) toward the full implementation of the "Acordos de Paz", the Lusaka Protocol (S/1994/1441, annex), the Memorandum of Understanding of 4 April 2002 (S/2002/483), and the relevant United Nations Security Council resolutions,

Welcoming also the reconvening of the Joint Commission, the establishment of the United Nations Mission in Angola, and the appointment of a Special Representative of the Secretary-General for Angola,

Expressing once again its concern regarding the humanitarian effects of the present situation on the civilian population of Angola,

Recognizing the importance attached, inter alia, to the monitoring, for as long as it is necessary, of the implementation of the provisions contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998),

Noting the existence of continued challenges to the stability of Angola and determining that ensuring the stability of Angola is necessary for the maintenance of peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Expresses* its intention to give full consideration to the additional report of the monitoring mechanism established pursuant to resolution 1295 (2000) submitted pursuant to paragraph 7 of resolution 1404 (2002);

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2. *Decides* to extend the mandate of the monitoring mechanism for a further period of two months, ending on 19 December 2002, subject to review by the Council;

3. *Requests* the monitoring mechanism to provide the Committee established pursuant to resolution 864 (1993) (hereinafter referred to as "the Committee") within 10 days of the date of adoption of this resolution with an action plan for its future work to include:

- plans for ample consultations in Angola between members of the monitoring mechanism and representatives of both the Government of Angola and UNITA with a view to assessing the situation and to contributing towards a full review by the Council of the measures imposed against UNITA once the peace process has been completed;

- an assessment of possible violations of existing measures imposed against UNITA that may have occurred since the signing of the Memorandum of Understanding of 4 April 2002;

- details on renewed efforts to locate UNITA funds and financial resources currently frozen pursuant to existing measures;

- development of possible recommendations with regard to the issue of funds and financial resources which have been located by Member States and subsequently frozen pursuant to existing measures;

- details on ongoing monitoring and investigation of possible violations of the arms embargo established pursuant to resolution 864 (1993) and prohibitions against the import from Angola of diamonds not controlled by the Government of Angola's certificate of origin scheme as called for under resolution 1173 (1998);

4. *Requests further* the monitoring mechanism to provide a further additional report to the Committee by 13 December 2002, focusing in particular on possible violations of measures imposed against UNITA that may have occurred since the signing of the Memorandum of Understanding of 4 April 2002 and the identification of UNITA funds and financial resources frozen pursuant to paragraph 11 of resolution 1173 (1998);

5. *Requests* the Secretary-General, upon adoption of this resolution and acting in consultation with the Committee to appoint two experts to serve on the monitoring mechanism and *further requests* the Secretary-General to make the necessary financial arrangements to support the work of the monitoring mechanism;

6. *Requests* the Chairman of the Committee to submit the additional report to the Council by 19 December 2002;

7. *Calls upon* all States to cooperate fully with the monitoring mechanism in the discharge of its mandate;

8. *Decides* that the provisions of paragraph 4 (a) and 4 (b) of resolution 1127 (1997) shall cease to have effect from 00:01 Eastern Standard Time on 14 November 2002, following the expiration of the suspension of the measures as set out in paragraph 1 of resolution 1432 (2002);

9. *Decides* to review, with a view to the possible lifting of, all the measures in resolutions 864 (1993), 1127 (1997) and 1173 (1998) by 19 November 2002, taking into account all available information, including from the Government of Angola and all other parties involved, on the implementation of the peace accords;

10. *Decides* to remain actively seized of the matter.